

ASSEMBLY BILL

No. 48

Introduced by Assembly Member Simitian

December 2, 2002

An act to repeal Section 42238.46 of the Education Code, and to amend Section 42 of Chapter 1167 of the Statutes of 2002, relating to school finance, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 48, as introduced, Simitian. School finance: revenue limits: equalization.

Existing law provides 2 revenue limit equalization adjustments for each school district for the 2003–04 fiscal year.

This bill would repeal one of these equalization adjustments. The bill would appropriate \$203,000,000 from the General Fund to the Superintendent of Public Instruction for the 2003–04 fiscal year in augmentation of the amount appropriated for purposes of the remaining equalization adjustment.

The bill would require that the appropriation be included in the amounts appropriated by the state in the 2003–04 fiscal year for purposes of meeting the state's minimum funding obligation to school districts and community college districts under Section 8 of Article XVI of the California constitution for that fiscal year.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 42238.46 of the Education Code is repealed.

~~42238.46. (a) For the 2003-04 fiscal year, the Superintendent of Public Instruction, shall compute an equalization adjustment for each school district so that no district's 2002-03 adjusted base revenue limit per unit of average daily attendance is less than the 2002-03 fiscal year adjusted base revenue limit above which fall not more than 8.25 percent of the total statewide units of average daily attendance for the appropriate size and type of district listed in subdivision (b).~~

~~For purposes of this section, the district adjusted base revenue limit and the statewide average adjusted base revenue limit shall not include any amounts attributable to Section 45023.4, 46200, or 46201.~~

~~(b) Subdivision (a) shall apply to the following school districts, which shall be grouped according to size and type as follows:~~

District	ADA
Elementary	less than 101
Elementary	more than 100
High School	less than 301
High School	more than 300
Unified	less than 1,501
Unified	more than 1,500

~~(c) The Superintendent of Public Instruction shall compute a revenue limit equalization adjustment for each school district's adjusted base revenue limit per unit of average daily attendance as follows:~~

~~(1) Add the products of the amount computed for each school district by the county superintendent pursuant to subdivision (a) and the average daily attendance used to calculate the district's revenue limit for the current fiscal year.~~

~~(2) Divide the amount appropriated for purposes of this section for the current fiscal year by the amount computed pursuant to paragraph (1).~~

~~(3) Multiply the amount computed for the school district pursuant to subdivision (a) by the amount computed pursuant to paragraph (2).~~

~~(d) (1) For purposes of this section only, prior to computing the equalization adjustment pursuant to this section, the Superintendent of Public Instruction shall calculate an adjusted base revenue limit for each district by revising the 2002-03 base revenue limit of the district to eliminate that portion of the one-time adjustment to its base revenue limit related to excused absences made pursuant to Section 42238.8.~~

~~(2) For the purposes of this section, the 2002-03 statewide average adjusted base revenue limits determined for the purposes of subdivision (a) and the fraction computed pursuant to paragraph (2) of subdivision (c) by the Superintendent of Public Instruction for the 2002-03 second principal apportionment shall be final, and shall not be recalculated at subsequent apportionments. In no event shall the fraction computed pursuant to paragraph (2) of subdivision (c) exceed 1.00. For the purposes of determining the size of a district used in subdivision (b), county superintendents of schools, in conjunction with the Superintendent of Public Instruction, shall use a school district's revenue limit average daily attendance for the 2002-03 fiscal year as determined pursuant to Section 42238.5 and Article 4 (commencing with Section 42280).~~

~~(3) For the purposes of calculating the size of a school district pursuant to subdivision (b), the Superintendent of Public Instruction shall include units of average daily attendance of any charter school for which the school district is the chartering agency.~~

~~(4) For the purposes of computing the target amounts pursuant to subdivision (a), the Superintendent of Public Instruction shall count all charter school average daily attendance towards the average daily attendance of the school district that is the chartering agency.~~

SEC. 2. Section 42 of Chapter 1167 of the Statutes of 2002 is amended to read:

Sec. 42. (a) If the appropriation in the 2002-03 fiscal year for purposes of Section 42238.445 of the Education Code pursuant to Provision 2 of Item 6110-223-0001 of Section 2.00 of the Budget Act of 2002 (Chapter 379, Statutes of 2002) is insufficient to provide funding equal to the amount computed pursuant to Section

1 42238.445 of the Education Code, the amount appropriated shall
2 be allocated to school districts on a pro rata basis.

3 (b) If the appropriation in the 2003–04 fiscal year for purposes
4 of Section 42238.44 of the Education Code is insufficient to
5 provide funding equal to the amount computed pursuant to Section
6 42238.44 of the Education Code, the amount appropriated shall be
7 allocated to school districts on a pro rata basis.

8 ~~(c) If the appropriation in the 2003–04 fiscal year for purposes~~
9 ~~of Section 42238.46 of the Education Code is insufficient to~~
10 ~~provide funding equal to the amount computed pursuant to Section~~
11 ~~42238.46 of the Education Code, the amount appropriated shall be~~
12 ~~allocated to school districts on a pro rata basis.~~

13 SEC. 3. (a) The sum of two hundred three million dollars
14 (\$203,000,000) is hereby appropriated from the General Fund to
15 the Superintendent of Public Instruction for the 2003–04 fiscal
16 year for purposes of Section 42238.44 of the Education Code, to
17 be allocated to school districts on a pro rata basis. The
18 appropriation made by this section is in augmentation of the
19 appropriation made in Section 51 of Chapter 1167 of the Statutes
20 of 2002.

21 (b) For purposes of making the computations required by
22 Section 8 of Article XVI of the California Constitution, the
23 appropriation made by subdivision (a) shall be deemed to be
24 “General Fund revenues appropriated to school districts,” as
25 defined in subdivision (c) of Section 41202 of the Education Code
26 for the 2003–04 fiscal year and included within the “total
27 allocations to school districts and community college districts
28 from General Fund proceeds of taxes appropriated pursuant to
29 Article XIII B” as defined in subdivision (e) of Section 41202 of
30 the Education Code, for the 2003–04 fiscal year.

